

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, June 10, 2009 at 1:30 p.m. in Committee Room #2, City Hall South, 2<sup>nd</sup> Floor.

**Present:** Councilmember Howard Shook, Chair  
Councilmember Felicia A. Moore  
Councilmember Carla Smith  
Councilmember Clair Muller

Jim Glass, CFO  
Departmental Staff

**Absent:** Councilmember Jim Maddox  
Councilmember Cleta Winslow

Chairperson Shook called the meeting to order at 1:30 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Carla Smith and Clair Muller. Other Departmental staff was present as well.

The Agenda was adopted as printed with the addition of five new Resolutions. The minutes of the June 10, 2009 Finance/Executive Committee were adopted as well.

#### **DISCUSSION ITEM:**

#### **PROCUREMENT PROCESSES**

**Mr. Adam Smith:** Chief Procurement Officer addressed the Committee by stating that He would like to propose a Work Session to discuss the procurement processes. He does not want to spend a lot of time going through the processes today. Councilmember Muller stated that she requested Mr. Smith's appearance. She wants a Work Session after the Budget is adopted for the whole Council to see if there are any missed clarifications or step by step summaries. Chairperson Shook stated that we will not set the date now, but are agreeing to have one. We will look at the week of July 6<sup>th</sup>.

#### **TO APPOINT MS. TERI A. SIMMONS TO SERVE AS A MEMBER OF THE ATLANTA SISTER CITIES COMMISSION**

09-C-1011 (1) A Communication by Mayor Shirley Franklin appointing **Ms. Teri A. Simmons** to serve as a member of the Atlanta Sister Cities Commission on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

#### **FAVORABLE**

**Ms. Teri A. Simmons:** addressed the Committee by stating that she is happy to report that they won the International Award and will be accepting it by the end of July. We focus on economic development, sustainable development and affordable housing. Chairperson Shook offered a motion to **Approve, 4 Yeas.**

#### **TO APPOINT MR. JAMES T. MIDDLEBROOKS TO SERVE AS A MEMBER OF THE CIVIL SERVICE BOARD**

09-C-1012 (2) A Communication by Mayor Shirley Franklin appointing **Mr. James T. Middlebrooks** to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years retroactive to expire on 5/15/2012.

#### **FORWARD WITH NO RECOMMENDATION**

Chairperson Shook offered a motion to move **Forward With No Recommendation, 4 Yeas.**

**CONSENT AGENDA**

**TO AUTHORIZE THE MAYOR TO WAIVE THE SOLE SOURCE SELECTION PROVISIONS**

- 09-O-1016 (1)      An Ordinance by Finance/Executive Committee authorizing the Mayor to waive the Sole Source Selection Provisions contained in the City of Atlanta Code of Ordinances Article X, Procurement and Real Estate Code so as to authorize the execution of an Agreement with Hill Company, Inc.-Ed Hill for the John F. Kennedy Pool Park Replacement Project on behalf of the Department of Parks, Recreation and Cultural Affairs, Office of Park Design, in an amount not to exceed \$161,500.00 to be charged to and paid from the Account Segment/PATEO Numbers identified in this Ordinance; and for other purposes.

**FAVORABLE ON FIRST READ**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEES TO EXECUTE A GROUND SITE LEASE**

- 09-O-1053 (2)      An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designees to execute a ground site lease with Clearwire US LLC for the purpose of providing Wireless Communication Services; and for other purposes.

**FAVORABLE ON FIRST READ**

**REGULAR**

**TO AMEND THE FOLLOWING SECTION OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA**

- 09-O-0370 (1)      An Ordinance by Councilmember Jim Maddox **as Substituted by Finance/Executive Committee** to amend the following Section of the Code of Ordinances of the City of Atlanta, Georgia pertaining to the Advisory Committee on International Relations (ACIR): Section 2-1981(a)(3)a. so as to add as members, the Atlanta Development Authority and the City of Atlanta Department of Aviation; to update the name of the Member Organization listed; to modify the language of Subsection (b) of Section 2-1981 so as to reflect the current practice with respect to budgeting for the activities and programs of ACIR; Section 2-1982, so as to expand the scope of the purpose of ACIR; to change the reporting period in Section 2-1984 from quarterly to annually and to re-codify the provisions of Section 2-1984 entitled "Officers, Bylaws, Reports" to Section 2-1983 which Section is currently "Reserved"; to provide new language for Section 2-1984 pertaining to the providing of administrative support to ACIR by Council Staff; to waive conflicting Ordinances; and for other purposes. **(Referred back by Full Council, 6/1/09)**

**HELD**

**TO AUTHORIZE THE CITY OF ATLANTA TO REIMBURSE DELTA AIR LINES, INC.**

09-O-0903 (2) A **Substituted** Ordinance by Finance/Executive Committee authorizing: (i) the City of Atlanta to reimburse Delta Air Lines, Inc. in the amount of \$289,559 for replacement of fuel valves at the Concourse C – Airside Reconfiguration Project on behalf of the Department of Aviation, to be charged to and paid from PTAE0: 18100830 (Fuel Complex) 102 (Task) 550291249 (DOA R N E 9999) 5414002 (FAC Not Buildings-CIP) and FDOA: 5502 (Airport Renewal and Extension Fund) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Bldgs/Infrastructure-CIP) 7563000 (Airport) 100830 (Fuel Complex) 91249 (DOA R N E 9999) 0000 (Default) 00000000 (Default) 00000000 (Default); (ii) the Mayor to execute a Reimbursement Agreement with Delta; and (iii) for other purposes. **(Referred to Finance Committee, 5/27/09); (Finance/Executive Committee Substitute clarifies the FDOA, 6/10/09)**

**FAVORABLE ON SUBSTITUTE**

**Mr. Mario Diaz:** addressed the Committee by stating that this is the replacement of two valves. During the development it was found that one of the valves needed replacing. Delta would have to do a waiver of the Code. The Substitute clarifies the FDOA. Chairperson Shook offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AMEND THE 1994 (TRUST FUND)**

09-O-0985 (3) A **Substitute** Ordinance by Finance/Executive Committee amending the 1994 (Trust Fund), 190101 (JDA Municipal Court Operations), 3511712 (City Jail Surcharge), 265000 (DEP, Municipal Courts), 200769 (Jail Fund Administration), 91466 (Agency Fund), 91466 to 7701 (Trust Fund), (JDA Municipal Court Operations), 190101 (City Jail Surcharge), 5222001 (Consulting/Professional), 200769 (Jail Fund Administration), 91466 (Agency Fund), to fund Installation and Contractual Services for FC-4782, Jail Management System on behalf of the Department of Corrections in an amount not to exceed one million five hundred thousand and zero cents (\$1,500,000.00) and for other purposes. **(Finance/Executive Committee Substitute corrects account information in Section 1 and the Caption, 6/10/09)**

**FAVORABLE ON SUBSTITUTE**

**Ms. Diane Jones:** Deputy Chief of the Department of Corrections addressed the Committee by stating that this amends the 1994 Trust Fund. The Substitute corrects account information in Section 1 and the Caption. Councilmember Moore offered a motion to **Approve on Substitute, 4 Yeas.**

**TO ANTICIPATE AND APPROPRIATE TSA GRANT FUNDS**

09-O-0986 (4) A **Substitute** Ordinance by Finance/Executive Committee to anticipate and appropriate TSA Grant Funds in the amount of \$17,750,815.77 for the Transportation Security Administration's share of MOA # HSTS04-04-A-DEPO53 for the payment of principal on the Series 2004D-1 and Series 2004D-2 Airport Passenger Facility Charge and Subordinate Lien Revenue Bonds (5508) issued to pay Capital Costs for the Installation and Operation of Explosive Detection Systems in an "In-Line" Baggage

System at the Hartsfield-Jackson Atlanta International Airport; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 6/10/09)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute to correct the FDOA.

Mr. Diaz stated that in 2003 the City entered into a contract to use the funds for installation of the detection system. We have received the first installment and now would like to apply the funds for repayment of principal on Bonds. Councilmember Moore offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO WAIVE ARTICLE X**

09-O-0987 (5) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code in order to enter into an Agreement with Comsys Information Technology Services, Inc., pursuant to the Atlanta City Harter § 6-402 for Temporary Specialized Services on behalf of the Department of Information Technology, in an amount not to exceed three hundred thousand dollars and no cents (\$300,000.00), to ratify provision of services performed by Comsys Information Technology Services Inc. since August 1, 2008 for temporary specialized services and pay for outstanding invoices in an amount not to exceed one hundred eighty-eight thousand six hundred eleven dollars and twenty-one cents (\$188,611.21); all contracted work will be charged to and paid from Fund, Account and Center Number 1001 (General Fund) 5212001 (Consultant/ Professional Services) 1535000 (Data Processing/ Management Information Systems); and for other purposes.

**HELD**

**TO AMEND CHAPTER 114, PERSONNEL**

09-O-1005 (6) An **Amended** Ordinance by Finance/Executive Committee to amend Chapter 114, Personnel, Article, "V", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer positions, abolish and create positions and classifications; provide for certain position reclassifications, and other Personnel Actions in line with the 2010 Budget; provide authorization for Wastewater Treatment and Collection Apprentice Program Compensation; and for other purposes. **(Finance/Executive Committee Amendment strikes the position numbers, 6/10/09)**

**FORWARD WITH NO RECOMMENDATION AS AMENDED**

Chairperson Shook stated that we have a lot of people signed up to speak to the Personnel Paper. Councilmember Moore stated that she got an answer regarding the Paper, but did not get the answer she requested regarding the Judges. Council has not made any policy decision to reduce the number of active Judges. She believes that things need to follow their course.

**Ms. Benita Ransom:** Commissioner of the Department of Human Resources addressed the Committee by stating that there are 4 Judge's positions to be abolished. Councilmember Moore asked what does the three numbers represent. Commissioner Ransom responded that we have four that are leaving. Three correlate with the Judges.

The Code requires a Chief Judge. Councilmember Moore asked how can we pass this paper without policy decisions?

**Mr. Jerry DeLoach:** Deputy City Attorney addressed the Committee by stating that Council has the right to make the policy decision. Councilmember Moore stated that this is an attempt to make policy decisions. Deputy City Attorney DeLoach responded that you can address the issue through the Personnel Paper. Council has the authority to set the number of Judges. Councilmember Moore stated that she is concerned with Judge Barbara Harris being on the list and she is not ready to leave. How can we get rid of the position? Deputy City Attorney DeLoach responded that a person can file a retention. The Mayor has the authority to make that decision. Councilmember Moore asked if we make the decision does the process start all over again. Deputy City Attorney DeLoach responded yes, as long as we are not interfering with the 2010 Election and the number is set by the Mayor. Councilmember Moore stated that we need to make sure what our Code is by way of doing it. No one ever contemplated it in the Code. We should allow the retention to happen then close the number. Deputy City Attorney DeLoach responded that the Traffic Court Judges were reduced and there is not a difference in the way it was done.

**Judge Barbara Harris:** addressed the Committee by stating that she is a 27 year veteran and has served as Chief Judge for over 10 years. She and Judge Sloan want to retain their positions. Page #3-6 shows that their position ends on January 4, 2010. It includes Judge Johnson, Judge Nichols, Judge Sloan and herself. Judge Johnson wants to retire, but the rest of us have not decided to. She has support letters from the Georgia Association of Black Women Attorneys.

**Ms. Thelma Wyatt:** Judge of Fulton County addressed the Committee by stating that she is asking that the City Charter be upheld. A Judge should be appointed for four years. If a Judge seeks retention, it is part of the City's Charter. The basis of it is if a Judge decides to continue, it is in the hand of the Elector not the Administration.

**Ms. Sonya Brown:** President of the Georgia Association of Black Women Attorneys addressed the Committee by stating that they wrote a letter regarding this issue. We feel compelled to write our concerns. We want to make it clear that the Judges serve the City in an advocate manner. In Section 9, the Mayor proposes to abolish 4 Judges. We find it troublesome that civil rights are being violated.

**Mr. Corey Lynch:** an Attorney and former City Solicitor addressed the Committee by stating that the acts in the Personnel Paper will open up the City to litigation. It is going to be costly to the City in the long run. There has been a memorandum passed out.

Continuing, Chairperson Shook stated that we have three opportunities for anyone to speak to the Budget. Councilmember Moore asked do we need to receive the Justice Department approval. Deputy City Attorney DeLoach responded that the City of Atlanta will submit to the Justice Department our intent to hold an Election. We do not need clearance to reduce the number. Councilmember Moore offered an Amendment to strike the position numbers. Some do not represent what people want to do. The Committee needs to send a letter to each Judge and find out their intent. Chairperson Shook stated that some Judges have done that, but changed their minds. Councilmember Moore stated that it is a courtesy question and not a requirement. Councilmember Muller stated that we need to wait until after the retention period closes. Councilmember Moore offered a motion to **Approve the Amendment, 4 Yeas.**

**Mr. Greg Pridgeon:** Mayor's Office Chief of Staff addressed the Committee by stating that we believe the positions presented to us by the Chief Judge are reflected by that thought. Judges need administrative support staff, which would be over \$400,000.

**Mr. Dave Walker:** addressed the Committee by stating that the last time a President tried to get rid of a prosecutor was doing the Nixon administration and he got impeached.

**Deacon C.B. Cameron:** addressed the Committee by stating that he voted for the Judge. It is not right for us to vote for a Judge and the Administration takes that right away. Councilmember Moore stated that when the Budget has pre-assumptions, we have to find something else to cut. Chairperson Shook stated that when it came up last year we decided to do it this year. Councilmember Moore stated that we are trying to make final policy decisions during the Budget. Chairperson Shook offered a motion to move **Forward with No Recommendation as Amended, 4 Yeas.**

#### **TO PROVIDE FOR THE ANNEXATION OF PROPERTY**

09-O-1072 (7) An Ordinance by Councilmember Howard Shook to provide for the annexation of property located at 4118 E. Brookhaven Drive to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes.

#### **HELD**

**Mr. Peter Andrews:** Senior Assistant City Attorney addressed the Committee by stating that we are looking into the specific dates. We have to Hold it until the Zoning and CDP papers catch up. We also have to Hold the City annexation because we have to set the dates. We could amend the Ordinance to set the date.

#### **TO SET THE TERMS OF THE CITY OF ATLANTA'S WATER AND WASTEWATER REVENUE BONDS, SERIES 2009**

09-O-1073 (8) An Ordinance by Councilmember Howard Shook to set the terms of the City of Atlanta's Water and Wastewater Revenue Bonds, Series 2009, including principal amounts, interest rates, maturity dates, and redemption provisions; and for other purposes.

#### **FORWARD WITH NO RECOMMENDATION**

**Ms. Carmen Pigler:** Chief of Debt and Investment addressed the Committee by stating that this paper is for Wednesday, June 17<sup>th</sup> at 10:00 a.m. It is for Department of Watershed Revenue Bonds and refunding new money needs. Senior City Attorney Andrews stated that the Substitute will come after the pricing. Councilmember Moore offered a motion to move **Forward With No Recommendation, 4 Yeas.**

#### **TO AUTHORIZE THE TERMINATION OF THOSE CERTAIN INTEREST RATE EXCHANGE AGREEMENTS**

09-O-1074 (9) An Ordinance by Councilmember Howard Shook **as Substituted by Finance/Executive Committee (1), 6/10/09** to authorize the termination of those certain Interest Rate Exchange Agreements related to the City's outstanding Airport General Revenue and Refunding Bonds, Series 2000A, the City's outstanding Airport General Revenue Bonds, Series 2000B, the City's outstanding Variable Rate Airport General Revenue Refunding Bonds, Series 2003RF-B and the City's outstanding Variable Rate Airport General Revenue Refunding Bonds, Series 2003RF-C, and the payment of a Swap Termination Fee in connection with the termination of said Interest Rate Exchange Agreements and to pay all expenses relating thereto; all payments

shall be made from (Account to be added); granting the Mayor and the Chief Financial Officer the authority to determine the timing and terms of the termination of said Interest Rate Exchange Agreements; granting the Mayor the authority to approve and execute any and all documents and certificates with respect to the termination of said Interest Rate Exchange Agreements; authorizing certain Officials and Employees of the City to take all actions required in connection with the termination of said Interest Rate Exchange Agreements; providing certain other details with respect thereto; providing an effective date; and for other purposes. **(Finance/Executive Committee Substitute..., 6/10/09)**

#### **FAVORABLE ON SUBSTITUTION**

Chairperson Shook stated that we have a Substitute.

Ms. Pigler stated that this is to terminate the 2000 and 2003 SWAP for the Department of Aviation. They have been downgraded by Moody. They are transferring them to Variable Rate Bonds. Councilmember Moore asked if this is the final paper. Ms. Pigler responded that this is the final paper. Councilmember Moore asked if there is a term sheet. Ms. Pigler responded that there is a contract between the Airport and J.P. Morgan. We are paying to get out of the contract. It is about \$9 million dollars today to terminate. Over the life of the contract the City has received life flows. Councilmember Moore stated that she wants to see the numbers on paper. CFO Glass responded that as the market deteriorates, interest rates are rising. This document gives us the flexibility. We want to do it so it would cost us the least on all three SWAPs. We will bring forward an Issue to move forward. This is to have a little flexibility. Councilmember Moore offered a motion to **Approve on Substitute, 4 Yeas.**

#### **TO AMEND THE 2009 (INTERGOVERNMENTAL GRANT FUND) BUDGET**

09-O-1075 (10) An Ordinance by Councilmember Kwanza Hall **as Substituted by Finance/Executive Committee (1), 6/10/09** to amend the 2009 (Intergovernmental Grant Fund) Budget Department of Grant Services, by adding Anticipations and Appropriations in the amount not exceed \$10,000.0 of Grant Funds from the Georgia Department of Community Affairs on behalf of Hands On Atlanta for the purpose of funding innovative and new approaches of encourage volunteerism and civic engagement in Atlanta; and for other purposes. **(Finance/Executive Committee Substitute..., 6/10/09)**

Chairperson Shook offered a motion to **Approve on Substitute, 4 Yeas.**

#### **TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ATLANTA DEVELOPMENT AUTHORITY (ADA)**

09-R-0369 (1) A Resolution by Councilmember Jim Maddox **as Substituted (#2) by Finance/Executive Committee** authorizing the Mayor to execute an Agreement with the Atlanta Development Authority (ADA) regarding the management of the activities and programs of the Advisory Committee on International Relations (ACIR); and for other purposes. **(Referred back by Full Council, 6/1/09)**

#### **HELD**

**TO AUTHORIZE THE MAYOR TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT**

09-R-1015 (2) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to execute an Appropriate Contractual Agreement with Hansen Information Technologies, a subsidiary of Infor Global Solutions for the purpose of providing a Software Maintenance and Support Agreement for the Hansen System, on behalf of the Department of Watershed Management, in an amount not to exceed two hundred nine thousand six hundred eighty-two dollars and eleven cents (\$209,682.11); all contracted work shall be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater Renewal and Extension Fund) 170201 (DWM Wastewater Treatment and Collection) 5410001 (Consulting/Professional Services-Capital Projects) 4310000 (Sanitary Administration); and for other purposes. **(Finance/Executive Committee Substitute corrects the terms of the Agreement, 6/10/09)**

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute.

Ms. Pierce stated that this is the annual Maintenance Agreement. In August 2008, you approved the maintenance agreement. This one is the annual maintenance on services. The Substitute is the terms of the Agreement. Councilmember Smith offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH AT&T**

09-R-1054 (3) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with AT&T utilizing the State of Georgia Contract GTA000187-002 for the purchase of Modems and Cellular Services, on behalf of the Department of Watershed Management in an amount not to exceed one hundred sixty-two thousand dollars and no cents (\$162,000.00); all contracted work will be charged to and paid from Fund Department Organization and Account Number 5051 (Water and Wastewater Revenue Fund) 170603 (DWM Industrial Wastewater Monitoring) 5232003 (Wireless Telephone Expense) 7210000 (Protective Inspection Administration); and for other purposes. **(Finance/Executive Committee Substitute corrects the term of the Contract, 6/10/09)**

**FAVORABLE ON SUBSTITTUE**

Ms. Pierce stated that this is for the Flow Monitoring Program. The Substitute is the term of the Contract. Councilmember Smith offered a motion to **Approve on Substitute, 4 Yeas.**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE AN AGREEMENT WITH PUBLIC SAFETY SYSTEMS, INC.**

09-R-1055 (4) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to execute an Agreement with Public Safety Systems Inc. for the E911 Computer Aided Dispatch System, on behalf of the Department of Information Technology, in an amount not to exceed four hundred thirty-eight thousand six hundred dollars and no cents (\$438,600.00), to be charged to and paid from FDOA Number 1001 (General Fund) 050202 (IT



Applications) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

**HELD**

Chairperson Shook stated that we have a Substitute.

**Mr. Dan Smith:** Chief of Information Technology addressed the Committee by stating that we want to Hold the paper. The Substitute is for the FDOA numbers. CFO Glass asked if there is any harm with the paper going forward after the Budget is approved. We should Hold it until we have the appropriate account information.

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO GREEN CLASSIC LIMOUSINE COMPANY**

09-R-1056 (5) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Green Classic Limousine Company, in an amount not to exceed seven thousand five hundred ninety five dollars and forty seven cents (\$7,595.47) for an overpayment of Business License Fees; all funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

**FAVORABLE**

Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO THE MULTIPLE SCLEROSIS CENTER OF GEORGIA, INC.**

09-R-1057 (6) A **Substitute** Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to the Multiple Sclerosis Center of Georgia, Inc. in an amount not to exceed sixty one thousand eight hundred thirty five dollars and two cents (\$61,835.02) for an overpayment of Business License Fees; all funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes. **(Finance/Executive Committee Substitute removes the statute of limitations, 6/10/09)**

**FAVORABLE ON SUBSITUTE**

Chairperson Shook stated that we can modify it. The Substitute removes the statute of limitations. He sees no evidence that the people did overpay. Councilmember Moore stated that if we did it for them we need to do it for others as well. Councilmember Muller asked whose responsibility is it to apply for refunds.

**Mr. Gary Donaldson:** Director of the Office of Revenue addressed the Committee by stating that we are looking at the time and in the past we looked at the tax year. Councilmember Moore asked if we have looked at when the limitation is over. Mr. Donaldson responded that part of the time it is out of the limitation time. She then offered a motion to **Approve on Substitute, 4 Yeas, 1 Nay.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO BISHOP & BROGDON COMPANY**

09-R-1058 (7) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Bishop & Brogdon Company in an amount not to exceed seven thousand nine hundred forty five dollars and ten cents (\$7,945.10) for an overpayment of Business Tax Fees; all funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

**FAVORABLE ON SUBSTITUTE**

Chairperson Shook stated that we have a Substitute that knocks off a year because of the statute of limitation. Councilmember Moore offered a motion to **Approve on Substitute, 4 Yeas, 1 Nay.**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO CAREY-EXECUTIVE LIMOUSINE COMPANY**

09-R-1059 (8) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Carey-Executive Limousine Company in amount not to exceed five thousand three hundred five dollars and sixteen cents (\$5,305.16) for an overpayment of Business License Fees; all funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

**FAVORABLE**

Councilmember Moore offered a motion to **Approve, 4 Yeas.** CFO Glass stated that they are exempt because of State regulations.

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO SILVERTON BANK**

09-R-1060 (9) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Silverton Bank in amount not to exceed fifty three thousand eight hundred sixty four dollars and eighty three cents (\$53,864.83) for an overpayment of Business License Fees; all funds shall be charged to and paid from FDOA 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

**FAVORABLE**

Chairperson Shook offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE GSA CONTRACT #GS-35F-0195J**

09-R-1061 (10) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize GSA Contract #GS-35F-0195J for the purchase of five (5) HP 9050 Series Laserjet Printers from

CDW Government, Inc. on behalf of the Department of Aviation; in an amount not to exceed \$75,760.76. All contracted work will be charged to and paid from FDOA 5502 (Airport Renewal and Extension Fund), 180107 (Department of Aviation, Aviation Information Services), Expenditure 5311002 (Equipment \$1000-\$4999); and for other purposes.

**FAVORABLE**

Mr. Diaz stated that the current printers are ten years old. Chairperson Shook offered a motion to **Approve, 4 Yeas.**

**TO SUPPORT H.R. 2139**

09-R-1078 (11) A Resolution by Councilmember Jim Maddox to support H.R. 2139; initiating Foreign Assistance Reform Act of 2009, that is presently before the United States Congress; and for other purposes.

**FORWARD WITH NO RECOMMENDATION**

Councilmember Moore offered a motion to move **Forward With No Recommendation, 4 Yeas.**

**TO ADOPT THE FY 2010 PROPOSED BUDGET**

09-O-0773 (1) An Ordinance by Finance/Executive Committee adopting the FY 2010 Proposed Budget; and for other purposes. **(Held and Substituted, 5/13/09)**

**FORWARD WITH NO RECOMMENDATION**

Councilmember Moore offered a motion to move **Forward With No Recommendation, 4 Yeas.**

**TO AMEND SECTION 146-26 (B), (C), (D), (E) AND (F) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA**

09-O-0774 (2) An Ordinance by Finance/Executive Committee to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta, so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the Tax Rates established herein shall remain fixed each year until amended or repealed; and for other purposes. **(Held, 5/13/09); (Finance/Executive Committee conditional passage of receiving a Substitute with the Library Bond information, 6/10/09)**

**FORWARD WITH NO RECOMMENDATION**

Mr. Donaldson stated that the General Fund from 7.12 to 10.24, is the 3 mills and that is the major change. We will have the adoption on June 29<sup>th</sup>. Councilmember Moore offered a motion to move **Forward with no Recommendation on Condition of receiving a Substitute with the Library Bond information, 4 Yeas.** Mr. Donaldson stated that last year the School Levy was 118 and this year it's 120. The Parks Levy is the same.

**TO AMEND THE AMORTIZATION SCHEDULES**

- 09-O-0776 (3) An Ordinance by Finance/Executive Committee to amend the Amortization Schedules of the General Employees, Police Officers, and Firefighters Pension Plans from a forty year Closed Schedule to a thirty year Open Ended Schedule; and for other purposes. **(Held, 5/13/09)**

**FORWARD WITH NO RECOMMENDATION**

Chairperson Shook offered a motion to move **Forward With No Recommendation, 4 Yeas.**

**TO ADOPT THE FY 10 CAPITAL, SPECIAL REVENUE AND FUDICIARY FUNDS FOR THE CITY OF ATLANTA**

- 09-O-0822 (4) An Ordinance by Finance/Executive Committee Adopting the FY 10 Capital, Special Revenue, and Fudiciary Funds for the City of Atlanta. **(Held, 5/13/09)**

**FORWARD WITH NO RECOMMENDATION**

Councilmember Moore offered a motion to send **Forward With No Recommendation on Substitute, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE A SOLE SOURCE BLANKET PURCHASE AGREEMENT**

- 09-R-0920 (5) A Resolution by Finance/Executive Committee authorizing the Mayor to execute a Sole Source Blanket Purchase Agreement with Neptune Technology Group, Inc. for the purchase of Water Meters, Meter Parts and Accessories on behalf of the Department of Watershed Management, in an amount not to exceed one million dollars and no cents (\$1,000,000.00); all contract work shall be charged to and paid from Fund Department Organization and Account Number 5052 (Water & Wastewater Renewal & Extension Fund) 1704011 (DWM Water System Repair – Peyton) 5311002 (Supplies Non-Consumable) 4440000 (Distribution); and for other purposes. **(Held and Substituted, 5/13/09)**

**FAVORABLE**

Ms. Pierce stated that this is an annual Agreement to purchase cleaning supplies. Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH KONICA MINOLTA BUSINESS SOLUTIONS, USA, INC.**

- 09-R-0988 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Konica Minolta Business Solutions, USA, Inc. utilizing the State of Georgia Contract Number GTA000119 for Copier Lease and Maintenance, on behalf of the Department of Watershed Management, in an amount not to exceed two hundred sixty thousand three hundred four dollars and no cents (\$260,304.00); all contracted work will be charged to and paid from various Fund, Department Organization and Account Numbers; and for other purposes. **(Held, 5/27/09)**

**FAVORABLE**

Ms. Pierce stated that this is a Maintenance Agreement for 23 copiers and she has provided a list for each of them. Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH BURNETT LIME COMPANY, INC.**

09-R-0989 (7) A Resolution by Finance/Executive Committee authorizing the Mayor to execute a Sole Source Agreement with Burnett Lime Company, Inc. for Cal-Flo Lime Slurry at the Chattahoochee Treatment Plant Complex and Hemphill Treatment Plan Complex, on behalf of the Department of Watershed Management, in an amount not to exceed one hundred seventy-five thousand six hundred thirty-six dollars and no cents (\$175,636.00); all contract work shall be charged to and paid from the listed Fund Department Organization and Account Numbers in the following amounts: \$73,514.00-5051 (Water & Wastewater Revenue Fund) 170404 (DWM Water Treatment Complex-Chattahoochee) 5311003 (Chemicals) 4430000 (Treatment) and \$102,122.00-FY2010 5051 (Water & Wastewater Revenue Fund) 170405 (DWM Water Treatment Complex- Hemphill) 4430000 (Treatment); and for other purposes. **(Held and Substituted, 5/27/09)**

**FAVORABLE**

Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH ZEP MANUFACTURING COMPANY**

09-R-0990 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with ZEP Manufacturing Company, utilizing the US Communities, National Contract Number 2007-118-3034 for the purchase of Cleaning Chemicals and Supplies, on behalf of the Department of Watershed Management, in an amount not to exceed thirty-seven thousand five hundred dollars and no cents (\$37,500.00); all contracted work will be charged to and paid from Fund, Department Organization and Account Number FY2010 5051 (Water & Wastewater Renewal Fund) 170407 (DWM Drinking Water Facility Maintenance) 5311003 (Chemicals) 4430000 (Treatment); and for other purposes. **(Held and Substituted, 5/27/09)**

**FAVORABLE**

Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE A SOLE SOURCE AGREEMENT WITH INDUSTRIAL FURNACE COMPANY, INC.**

09-R-0991 (9) A Resolution by Finance/Executive Committee authorizing the Mayor to execute a Sole Source Agreement with Industrial Furnace Company, Inc. (IFCO), for Incinerator Maintenance Repair and Replacement on behalf of the Department of Watershed Management, in an amount not to exceed four hundred thousand dollars and no cents (\$400,000.00); all contracted work shall be charged to and paid listed Fund Department Organization and Account Numbers in the following amounts: \$200,000.00 – 5051 (Water & Wastewater Revenue Fund) 170204 (DWM Treatment Plant – R.M. Clayton) 5222002

(Repair & Maintenance – Equipment) 4335000 (Sewage Treatment Plants) and \$200,000.00 – 5051 (Water & Wastewater Revenue Fund) 170205 (DWM Treatment Plant – Utoy Creek) 5222999 (Repair & Maintenance – Equipment) 4335000 (Sewage Treatment Plants); and for other purposes. **(Held and Substituted, 5/27/09)**

**FAVORABLE**

Ms. Pierce stated that this is for incinerators at Utoy and R.M. Clayton. Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT**

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

**FILE**

**TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA**

07-O-0138 (2) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

**HELD**

**TO AMEND ARTICLE V. CLASSIFICATION PLAN**

07-O-0974 (3) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

**HELD**

**TO SUPPORT H.R. 2447**

07-R-2138 (4) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

**HELD**

**TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007**

- 07-R-2139 (5) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

**HELD**

**TO AUTHORIZE A TWELFTH SUPPLEMENTAL BOND ORDINANCE**

- 08-O-0299 (6) An Ordinance by Councilmember Howard Shook authorizing a Twelfth Supplemental Bond Ordinance Supplementing the restated and amended Master Bond Ordinance of the City of Atlanta Adopted on March 20, 2000, as previously Amended and supplemented, to authorize the issuance by the City of Atlanta of its Variable Rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregated principal amount of not to exceed \$550,000,000.00, each to bear interest in a Variable Rate Mode; to refund all or a portion of the City's Variable Rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-C; to provide for a reasonably required debt service reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the Annual Submission of certain Financial Information and Operating Data pursuant to Rule 15C2-12 of the Securities and Exchange Commission; to designate one or more underwriters and remarketing agents, and a tender and paying agent and to approve forms of various other agreements in connection with the issuance of said Bonds; providing for incidental action; providing for severability; to provide an effective date; and for other related purposes. **(Held 2/13/08 at the request of the Department of Finance pending an agreement with Bond Insurers and LOC Providers; Referred back to Finance/Executive Committee from Full Council 2/2/09); (Held, 2/11/09)**

**FILE**

**TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY**

- 08-O-0402 (7) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes. **(Held, 3/12/08)**

**FILE****TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT**

08-R-0510 (8) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and and Paid From Fund, Account and Center Number 3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes. **(Held, 3/12/08)**

**HELD****TO ESTABLISH AND IMPLEMENT A COST NEUTRAL DEFERRED RETIREMENT OPTION RETIREMENT PLAN**

08-O-0736 (9) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

**HELD****TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS**

08-O-0822 (10) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1\_\_\_\_\_ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

**HELD****TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA**

08-O-0829 (11) An Ordinance by Howard Shook to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-



1. Et Seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, Et Seq., by amending Article 2, Chapter 3, Section 2 -302© so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes, fees, or bond indebtedness; and for other purposes. **(3<sup>rd</sup> Reading/Final Adoption); (Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE VI, DIVISION 2, SUBDIVISION II, SECTION 2-351**

08-O-0830 (12) An Ordinance by Howard Shook to amend Chapter two, Article VI, Division 2, Subdivision II, Section 2-351 (Entitled, "Authorization to Issue Commercial Paper.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in Bond Indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER 146, DIVISION 1, ARTICLE II, SECTION 146-26**

08-O-0831 (13) An Ordinance by Howard Shook to Amend Chapter 146, Division 1, Article II, Section 146-26 (Entitled, "Levy."), Chapter 146, Article II, Section 146-79 (Entitled, "Levied.") and Chapter 146, Article IV, Section 146-113 (Entitled, "Excise Tax Levied; Collection.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION 1, SECTION 2-69**

08-O-0833 (14) An Ordinance by Howard Shook to amend Chapter Two, Article II, Division 2, Subdivision I, Section 2-69 (Entitled, "Quorum; Vote Required for Passage of Legislation.") and Chapter Two, Article II, Division 2, Subdivision II, Section 2-96© (Entitled, "Presence at Meetings; Voting on Questions.") of the Code of Ordinances of the City of Atlanta, so as to require an Affirmative Vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in new fees and taxes or an increase in existing taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-105**

- 08-O-0834 (15) An Ordinance by Councilmember Howard Shook as amended by Finance /Executive Committee to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 (Entitled, "Establishment or Change in Fees for Service; Notice to Public.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in new fees and an increase in fees; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

**HELD**

**TO AMEND THE FY 2009 BUDGET**

- 08-O-1446 (16) An Ordinance by Councilmember C.T. Martin to amend the FY 2009 Budget so as to add to the Budget, Funding of the Judicial Agencies in the amount of \$350,000.00; to reduce the adopted Budget by said amount; and for other purposes. **(Referred back by Full Council, 2/16/09); (Held, 2/25/09)**

**HELD**

**TO AMEND THE PENSION ACTS**

- 08-O-1545 (17) An Ordinance by Councilmember C.T. Martin to amend the Pension Acts applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for employees involuntarily separated to balance the City of Atlanta 2009 and 2010 Fiscal Year Budgets and for Reorganization of the Workforce; and for other purposes. **(Held for Actuary Report, 7/30/08); (File, 2/11/09); (Referred back from Full Council, 2/16/09); (Held, 2/25/09)**

**HELD**

**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

- 08-O-1546 (18) An Ordinance by Councilmembers Felicia A. Moore, Cleta Winslow, Joyce M. Sheperd, H. Lamar Willis, Mary Norwood, Ivory Lee Young, Jr., Ceasar C. Mitchell, Anne Fauver, Natalyn Archibong and Kwanza Hall to amend the FY 2009 (General Fund) Budget to reestablish the Department of Fire and Rescue Special Operations Squad by transferring appropriations from various non-personnel accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Held, 7/30/08)**

**HELD**

**TO AMEND THE FY 2009 (GENERAL FUND) BUDGET**

- 08-O-1688 (19) An Ordinance by Councilmember Ceasar C. Mitchell to amend the FY 2009 (General Fund) Budget to reopen and maintain Atlanta Fire Station No. 7 by Transferring Appropriations from various Consulting, Supply, Travel and Other Non-Personnel Accounts yet to be determined to the Department of Fire and Rescue Budget

Fund Department Account and Organization Number; and for other purposes. **(Forward with no Recommendation, 8/27/08); (Forwarded back by Full Council, 9/2/08); (Held, 9/10/08)**

**HELD**

**TO ESTABLISH A CITY OF ATLANTA TAXATION AND SERVICE DELIVERY TECHNICAL ADVISORY COMMITTEE**

08-R-1752 (20) A Resolution by Councilmember Mary Norwood establishing a City of Atlanta Taxation and Service Delivery Technical Advisory Committee; and for other purposes. **(Held, 9/10/08)**

**HELD**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ACCEPT A DONATION**

08-O-2034 (21) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor or her Designee to accept a donation in the amount of \$\_\_\_\_\_ from the Atlanta Fire Foundation on behalf of the Atlanta Department of Fire and Rescue to fund the renovation of Fire Station #7; and for other purposes. **(Held, 10/15/08)**

**HELD**

**TO AMEND CHAPTER 114 ARTICLE IV DIVISION 12 SECTION 14-379**

08-O-2135 (22) An Ordinance by Councilmembers H. Lamar Willis and C.T. Martin to amend Chapter 114 Article IV Division 12 Section 14-379 of the Code of Ordinance of the City of Atlanta so as to provide for Written Justification and Hearing for any Reduction In Force by Executive or Legislative Actions involving Public Safety and Court Employees; to waive conflicting Ordinances; and for other purposes. **(Held, 10/29/08); (Held and Substituted, 11/12/08); (Held and Substituted, 4/29/09)**

**HELD**

**TO AMEND ARTICLE "V" CLASSIFICATION PLAN**

08-O-2257 (23) An Ordinance by Councilmember C.T. Martin to amend Article "V" Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create a Classification and Position of Economist; and for other purposes. **(Held, 11/12/08)**

**FILE**

**TO RESCIND ALL PERMITS GIVEN BY THE CITY OF ATLANTA REGARDING 4141 WIEUCA ROAD**

09-O-0098 (24) An Ordinance by Councilmember Howard Shook rescinding all permits given by the City of Atlanta regarding 4141 Wieuca Road, and for other purposes. **(Held, 1/14/09)**

**FILE**

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH MOTOROLA, INC.**

- 09-R-0183 (25) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Motorola, Inc. utilizing the State of Georgia Technology Authority Agreement No. 980-2800008 for the purchase of a Georgia Global Positioning System Two-Way Radio Communication Equipment, on behalf of the Department of Watershed Management, Office of Safety and Security, in an amount not to exceed three hundred seventy-five thousand seven hundred fifty dollars and no cents (\$375,570.00); all contracted work will be charged to and paid from Fund, Department Organization and Account Number 5052 (Water & Wastewater Revenue) 170902 (DWM Watershed Safety) 5212001 (Consulting/Professional) 1555000 (Risk Management); and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO AMEND CHAPTER 62, ARTICLE II, SECTION 62-46**

- 09-O-0203 (26) An Ordinance by Councilmember Ceasar C. Mitchell to amend Chapter 62, Article II, Section 62-46 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Pretrial Diversion Fee") so as to specify the General Fund uses for which the fees shall be allocated; to waive conflicting Ordinances; and for other purposes. **(Held, 1/28/09)**

**HELD**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA)**

- 09-R-0263 (27) A Resolution by Councilmember Ivory Lee Young, Jr. authorizing the Mayor or her designee to enter into an amendment to the Intergovernmental Agreement (IGA) authorized by Resolution 08-R-1694 with the Atlanta Development Authority so as to ensure that the expenditure of Westside TAD Funds through In Rem action can be used to effect not only the demolition of also the Clean and Close of structures located within the English Avenue Neighborhood identified as abandoned and/or dilapidated by the Bureau of Code Compliance; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO PROPOSE THE CREATION OF THE SOUTHWEST ATLANTA COMMUNITY IMPROVEMENT DISTRICT**

- 09-R-0264 (28) A Resolution by Councilmembers H. Lamar Willis and Jim Maddox proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the majority of the owners of real property within the District boundaries; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO PROVIDE A REPORT TO THE FULL COUNCIL**

- 09-R-0270 (29) A Resolution by Councilmember Mary Norwood requesting the Department of Finance to provide a report to the Full Council regarding the Plan of Financing for Department of Watershed Projects to be funded by Commercial Paper; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO CREATE A NEW SECTION 3-502.1**

- 09-O-0271 (30) An Ordinance and Charter Amendment by Councilmembers C.T. Martin, Ivory Lee Young, Mary Norwood, Anne Fauver and Natalyn Archibong adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (GA. Laws 1965, p. 298, et seq.) as amended, to create a new Section 3-502.1 (entitled "Ordinance Required To Impose Furloughs on certain Public Safety Employees") of the Charter of the City of Atlanta, Georgia (GA Laws 1996, P. 4469, et seq.) approved April 15, 1996, as amended, which shall provide that an Ordinance adopted by a majority vote of the Council shall be required in order to impose furloughs on certain Public Safety Employees; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. **(Held, 2/11/09)**

**HELD**

**TO AMEND SECTION 114-429 (VOLUNTARY SHARED LEAVE PROGRAM)**

- 09-O-0372 (31) An Ordinance by Councilmember C.T. Martin amending Section 114-429 (Voluntary Shared Leave Program) of the City of Atlanta Code of Ordinances for the purpose of allowing Employees to donate accrued leave (Sick or Annual) to eligible Employees in need of a donation prior to that individual having to exhaust all of their own leave; and for other purposes. **(Held, 2/25/09)**

**FILE**

**TO TRANSFER \$50,000.00 FROM DISTRICT 8 COUNCILMEMBER EXPENSE ACCOUNT**

- 09-O-0377 (32) An Ordinance by Councilmember Clair Muller to transfer \$50,000.00 from District 8 Councilmember Expense Account to the Department of Public Works Office of Transportation to be used to assist in funding portions of the Peachtree Battle Neighborhood Intersection Project; and for other purposes. **(Held, 2/25/09)**

**HELD**

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO TRANSFER FUNDS**

- 09-O-0386 (33) An Ordinance by Councilmember C.T. Martin by the Atlanta City Council authorizing the Chief Financial Officer to transfer Funds from each Councilmember Account, as designated by individual Council Member, to cover the cost of hiring a Consultant to write Grant Requests on behalf of the Department of Police and the Department of Fire and Rescue; and for other purposes. **(Held, 2/25/09)**

**FILE****TO AMEND ATLANTA CODE OF ORDINANCES CHAPTER 46**

- 09-O-0803 (34) An Ordinance by Finance/Executive Committee amending Atlanta Code of Ordinances Chapter 46, entitled Civic and Cultural Affairs, by adding a new Article IV that shall be entitled Entertainment Filming Fees; and for other purposes. **(Held, 5/13/09)**

**HELD****TO CREATE THE POSITION OF CITY COUNCIL FISCAL REVIEW MANAGER**

- 09-R-0817 (35) A Resolution by Councilmember Clair Muller creating the position of City Council Fiscal Review Manager, a position on the Council Staff that will review all Legislation with will have a fiscal impact. **(Held, 4/29/09)**

**HELD****TO REPEAL SUBPARAGRAPH (K) (5) OF SECTION 2-36 AND SUBPARAGRAPH (E) OF SECTION 2-39**

- 09-O-0818 (36) An Ordinance by Councilmember Howard Shook to repeal Subparagraph (k) (5) of Section 2-36 and Subparagraph (e) of Section 2-39 of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the "Cash Carryforward" Provision related to the Expense Accounts and Appropriations of the Council President and Councilmembers; to waive conflicting Ordinances; and for other purposes. **(Held, 4/29/09)**

**HELD****TO AMEND ARTICLE "V" CLASSIFICATION PLAN, SECTION 114-477**

- 09-O-0820 (37) An Ordinance by Councilmember H. Lamar Willis to amend Article "V" Classification Plan, Section 114-477 of the Code of Ordinances, City of Atlanta, Georgia, so as to create certain positions; and for other purposes. **(Held, 4/29/09)**

**HELD****TO AMEND THE MASTER INDENTURE OF TRUST**

- 09-O-0821 (38) An Ordinance by Councilmembers Carla Smith and Cleta Winslow to (1) amend the Master Indenture of Trust with respect to the City of Atlanta Tax Allocation Bonds (Beltline Project) to provide for Beltline Tax Allocation Increments to include amounts calculated based upon taxes levied by the Board of Education of the City of Atlanta as security for Beltline Bonds, (2) provide for the Issuance and Sale of Tax Allocation Bonds (Beltline Project), Series 2009 (or other designated Series), in an Aggregate Principal amount not to exceed \$20,000,000, in multiple Series, from time to time, for the purpose of (a) prepaying certain Obligations of the City due in respect of the Beltline Project pursuant to an Intergovernmental Agreement with the Downtown Development Authority, (b) refunding certain previously issued Series 2008 Tax Allocation Bonds and (c) providing funds to pay, or to be applied

or contributed toward, the payment of other redevelopment costs identified herein (the "Series 2009 Projects"), (3) authorize paying expenses incident to accomplishing all of the foregoing, (4) authorize the execution of financing documents in respect of the refunding and the Projects in the Beltline TAD including the 2009 Projects, including a second Supplemental Indenture of Trust with respect to the Series 2009 Bonds and a Bond Purchase Contract, and (5) authorize certain other related actions, all in connection with the Issuance and Sale of the foregoing described Series 2009 Bonds; and for other purposes. **(Held, 4/29/09)**

**HELD**

**TO ANTICIPATE AND APPROPRIATE FUNDS**

09-O-0911 (39) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee, on behalf of the City, to Anticipate and Appropriate Funds donated by legends to the City of Atlanta's Office of Recreation; and for other purposes. **(Held and Substituted, 5/27/09)**

**HELD**

**ITEMS NOT ON AGENDA**

**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE RENEAL OPTION NUMBER ONE (1)**

09-R-1081 (1) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to execute Renewal Option Number One (1) of Contract No. FC-6007000058, Post-Production Support for enterprise Planning, with Oracle USA, Inc., on behalf of the Department of Information Technology, in an amount not to exceed \$975,000.00; all contracted work to be charged to and paid from Fund, Department, Organization and Account Number 1001 (General Fund) 050102 (IT Administration) 5410001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information Systems); and for other purposes.

**FAVORABLE**

Chairperson Shook asked if we will ever wean ourselves from Consultants. Mr. Smith responded no, but the number was reduced in 2010. Councilmember Moore asked what other papers or money is needed to maintain Oracle. Mr. Smith responded that for maintenance it is the same or reduced. Councilmember Moore asked for a cheat sheet. She then offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACTUAL AGREEMENTS FOR FC-4907**

09-R-1084 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into Contractual Agreements for FC-4907, Employee Benefits, with Blue Cross Blue Shield of Georgia for Group Health-POS and Life, Kaiser Permanente for Group Health-HMO, Humana Health Care for Dental-HMO, Cigna Health Care for Dental-PPO, Optum Health for Voluntary Vision, and the AFLAC Assurance for Flexible Spending Accounts (FSA) and Voluntary Benefits; establish Premium Rates for Health, Dental

and Voluntary Vision - Employee Funded Insurance for FY2010 to be charged to and paid from the appropriate Fund, Department, Organization, and Account Numbers: 6002 200604 5730201 (Employee Health Insurance Expense), 6002 200605 5730202 (Non-Employee/Retiree Health Insurance Expense), 6002 200609 5524002 (Employee Vision Care Insurance), 6002 200611 5524003 (Retiree Vision Care Insurance), 6002 200607 5730201 (Employee Life Insurance Expense), 6002 200608 5730202 (Non-Employee/Retiree Life Insurance Expense); and for other purposes.

### **FAVORABLE**

**Mr. Charles Kimble:** Director of Insurance addressed the Committee by stating that he has been here for 30 days. Based upon the RFP, we received 24 responses. We selected the most responsive. We are asking to execute contracts for three years. We have 4,000 participants and 3,000 retirees. We will continue with Cigna for dental. The City's contribution for the employer is 70% and the employee is 30%.

**Judge Jackson:** addressed the Committee by stating that he has spoken with Mr. Kimble regarding children with autism. He has a child with autism. South Carolina passed a law called Ryan's Law for coverage of autism insurance. The State of Illinois passed a federal bill. In Georgia there is nothing. One in every 500 children born are autistic. He checked with the Vice President of Home Depot and wanted to find out what they are offering. He said that it is a very small amount. Two years ago his child could not say mommy. If these children do not get speech therapy they end up on disability for the rest of their life. It does not cost very much. This is a benefit that costs almost nothing. Councilmember Moore stated you are asking us to include in it in insurance coverage. Judge Jackson responded that in the current plan it is not there. It will soon be in the contract for Blue Cross Blue Shield. Mr. Kimble stated that the diagnostic code has only been available for the last few months. It is not in the paper presented today. He would have to design it first. Back in October he decided that there needs to be coverage. The earlier we catch it the more effective the plan will be. There are some restrictions. He will address them when the paper is presented. There is a study going on now. It would not require legislation. Judge Jackson stated that things need to be worked out. It would be a wonderful thing. Right now the only dependent plan is from AFLAC for \$2,500 for day care. We can raise the dependent day care because the number has not been raised. Councilmember Moore offered a motion to **Approve, 4 Yeas.**

**Mr. David Walters:** addressed the Committee by stating that he is with Allstate. Allstate Workplace is a supplemental provider. It is important to know you chose the strongest player. AFLAC is 165<sup>th</sup> and Allstate is 164<sup>th</sup>. Our benefits pay as much as \$75,000 for an initial cancer diagnosis. We think it is a disadvantage not to give us our day to present our case. Chairperson Shook stated that we are not the ones to appeal to and we can't discuss it. There is a mechanism in the Department of Procurement for you to make your case.

### **TO AUTHORIZE THE RE-EMPLOYMENT OF MARIAN L. COBB**

09-R-1085 (3)

A Resolution by Finance/Executive Committee authorizing the re-employment of Marian L. Cobb as Management Analyst, Senior in the Department of Finance – Office of Grants Management for an amount not to exceed \$71,428.00 pursuant to §3-505(c) of the Charter of the City of Atlanta; and for other purposes.

### **FAVORABLE**

**Mr. Lee Hannah:** addressed the Committee by stating that these three individuals have retired. We would like to rehire them and stay on track for the year. They are all Grant



Funded positions. They will also provide training. Councilmember Smith offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE RE-EMPLOYMENT OF JOCELYN ROSS**

09-R-1086 (4) A Resolution by Finance/Executive Committee authorizing the re-employment of Jocelyn Ross as Grants Management Director in the Department of Finance – Office of Grants Management for an amount not to exceed \$95,243.00 pursuant to §3-505(c) of the Charter of the City of Atlanta; and for other purposes.

**FAVORABLE**

Councilmember Smith offered a motion to **Approve, 4 Yeas.**

**TO AUTHORIZE THE RE-EMPLOYMENT OF CHERYL D. WILCOX**

09-R-1087 (5) A Resolution by Finance/Executive Committee authorizing the re-employment of Cheryl D. Wilcox as Management Analyst, Senior in the Department of Finance – Office of Grants Management for an amount not to exceed \$73,944.00 pursuant to §3-505(c) of the Charter of the City of Atlanta; and for other purposes.

**FAVORABLE**

Councilmember Smith offered a motion to **Approve, 4 Yeas.**

Concluding, Councilmember Moore stated that we need to have all Budget Amendments already prepared so we don't waste a lot of time. Staff needs to get out a memo to all Councilmembers. Chairperson Shook asked Mr. Stokes to get out a memo.

**ADJOURNMENT**

Having no further business before the Committee, the meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker  
Recording Secretary

***“The Department of Finance... because customer service is important to us.”***